FORM PTO-1390 (REV 10-2000)	U S DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER
		2633-PA78

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

U.S APPLICATION NO (If known, see 37 CFR 1.5)

09/890554

INTERNATIONAL APPLICATION NO. PCT/DE00/02836	INTERNATIONAL FILING DATE August 18, 2000	PRIORITY DATE CLAIMED 20 August 1999

TITLE OF INVENTION   System and Method for Notification of Transmission and Service Cost of Using Telecommunicati

APPLICANT(S) FOR DO/EO/US   Walter Keller

Applicant herewith submits to the United States Designated/Elected Office (DO/Đ/US) the following items and other information:

1. [X] This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.

2. [ ] This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.

3. [ ] This is an express request to promptly begin national examination procedures (35 U.S.C. 371)(f

4. [ ] The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).

5. [X] A copy of the International Application as filed (35 U.S.C. 371(c)(2))
   a. [X] is attached hereto (required only if not communicated by the International Bureau).
   b. [X] has been communicated by the International Bureau.
   c. [ ] is not required, as the application was filed in the United States Receiving Of fice (RO/US).

6. [X] An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).

7. [X] Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
   a. [ ] are attached hereto (required only if not communicated by the International Bureau).
   b. [ ] have been communicated by the International Bureau.
   c. [ ] have not been made; however, the time limit for making such amendments has NOT expired.
   d. [X] have not been made and will not be made.

8. [ ] An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).

9. [X] An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).

10. [ ] An English language translation of the annexes to the International Preliminary Examination Repo rt under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 16 below concern document(s) or information included:

11. [ ] An Information Disclosure Statement under 37 CFR 1.97 and 1.98.

12. [X] An assignment document for recording. A separate cover sheet in compliance wit h 37 CFR 3.28 and 3.31 is included.

13. [ ] A FIRST preliminary amendment.
    [ ] A SECOND or SUBSEQUENT preliminary amendment.

14. [ ] A substitute specification.

15. [ ] A change of power of attorney and/or address letter.

16. [ ] Other items or information:

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 09/890554	INTERNATIONAL APPLICATION NO PCT/DE00/02836	ATTORNEY'S DOCKET NUMBER 2633-PA78

CALCULATIONS PTO USE ONLY

17. ☐ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :

Neither international preliminary examination fee (37 CFR 1.482)
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO
and International Search Report not prepared by the EPO or JPO · · · · · · · · · $1000.00

International preliminary examination fee (37 CFR 1.482) not paid to
USPTO but International Search Report prepared by the EPO or JPO · · · · · · · $860.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but
international search fee (37 CFR 1.445(a)(2)) paid to USPTO · · · · · · · · · · $710.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)
but all claims did not satisfy provisions of PCT Article 33(1)-(4) · · · · · · · · · · $690.00

International preliminary examination fee paid to USPTO (37 CFR 1.482)
and all claims satisfied provisions of PCT Article 33(1)-(4) · · · · · · · · · · · · · · $100.00

ENTER APPROPRIATE BASIC FEE AMOUNT = $ 860

Surcharge of $130.00 for furnishing the oath or declaration later than ☒ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | $ 130

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	15 - 20 =	0	X $18.00	$ 0	
Independent claims	1 - 3 =	0	X $80.00	$ 0	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ $270.00	$	

TOTAL OF ABOVE CALCULATIONS = $ 990

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | $

SUBTOTAL = $ 990

Processing fee of $130.00 for furnishing the English translation later than ☒ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)). + | $ 130

TOTAL NATIONAL FEE = $ 1,120

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). $40.00 per property + | $ 40

TOTAL FEES ENCLOSED = $ 1,160

Amount to be refunded:	$
charged:	$

a. ☒ A check in the amount of $ 2,400 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 02-4070 in the amount of $_____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-4070 . A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

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NAME

31,468

REGISTRATION NUMBER

DeteMobil Deutsche Telekom MobilNet GmbH, Bonn

System and Method for Notification of Transmission and Service Costs of Using Telecommunications Systems

The invention relates to a method for notifying a user's transmission and service costs of using telecommunications systems, especially for packet-oriented data transmission and for Internet and online data, according to the preamble of patent claim 1.

Currently, the most frequently-used application for data transmission methods is the use of online and Internet services.

The convention procedural method, at least in the Federal Republic of Germany, for online and Internet access is shown in figure 1. A user is connected with his personal computer (A) by means of modem (B) to a telecommunication system (C), e.g., the analog telephone system or the ISDN network. In this way, he sets up a dialed connection to the Internet Access Provider (IAP), to the Internet Service Provider (ISP) or to the Online Provider (OP) involved (D). The difference between these service agencies consist in that the IAP only sets up the network interface between the telecommunication system and the public Internet (E), while the ISP offers Internet services itself. This means that it is possible e.g., to reach any ISP by way of the user's IAP. In practice, the relationships become intermingled so that many IAPs also offer services. An OP offers online services, i.e., data services in direct access. That does not necessarily have to be services on the basis of Internet protocol. For example, for many years T-Online offered screen text services (Btx) and achieved its current popularity even before the Internet. The term OP has become established, even if today more and more services are being offered with Internet protocol structure.

For the purpose of simplification, these terms are summarized here with the term Data Services Provider (DSP), which in the following indicates a service provider that is both an Internet access for users that are connected to the telecommunication system, as well as possibly also offering services of their own, e.g., e-mail accounts, Internet presentations for users, banking transactions, weather forecasts, news services, discussion forums, merchandise for sales, etc. Generally these services are not designed so that they have all the contents themselves, rather there are business relationships to contract partners (service or content provider S/CP), like banks, warehouses, news services, etc.

The task of the DSP exists mainly in the network service situation between the provider (F, H) and user (A). To do this EDP interfaces and transmission protocols that have been agreed upon, fast line connections and especially a representative presentation of the accesses to the companies within a title page (portal) or e.g., a card or database of the DSP are necessary so that the users find this access as easily as possible and can use what is offered.

There may also be payment terms, according to which a statement of accounts for S/CP services is given by way of the DSP invoice, e.g., for the T-Online services (formerly Btx area). Also in some cases contractual relationships exist between telecommunication system operators and DSP, e.g., as between Telekom and T-Online, wherein separate invoicing is not done by T-Online, rather the T-Online costs are invoiced on the monthly long distance bill.

Further it can be assumed that, in the future, telecommunication system operators will offer their own data services to their customers, whereby this can also be carried out e.g., with support from S/CP. For example, such methods can be found in the GSM mobile communications area. Reference is made here to "The GSM System for Mobile Communications," Cell & Sysy Verlag, Palaiseau/

France ISBN 2-9507190-0-7, which describes that services will increasingly be provided using Short Message Service, SMS, but in the future also preferably using General Packet Radio Service, a standardized packet service on the basis of Internet protocol; see also "Digital Cellular Telecommunications System" (Phase 2+), General Packet Radio Service, ETSI Draft EN 301 113.

Currently, all the methods used have the disadvantage that because of the not-insignificant cost structure among several participating companies (telecommunication system, DSP, S/CP) and complicated rate structures in each case, no ongoing cost control by the user is possible. In each case, he can only learn after the fact, at the end of an invoicing period (usually monthly) what costs he has incurred.

Therefore an improvement in the situation is desirable, by the introduction of an automatic method to determine and display the current total costs.

The present invention is based on the task of suggesting a method, on the basis of which a data service user of Internet, telecommunication and online services can be provided with information on transmission costs both during a session and as a preventive measure before an upcoming transmission of large data quantities.

This task is solved by the characterizing features of patent claim 1.

The invention is based on the fact that the service provider continuously determines the total costs accrued during a connection in progress using access to its own fee database and access to comparable facilities of the service or content suppliers participating in the connection and of the telecommunication and transmission systems used and transmits it on request or automatically to the user's terminal.

The fee data are managed in the fee database, i.e., all the user-specific and the service-specific fee terms are stored, as well as the user-specific contract data (prices, bonuses, subscriptions, blocks, etc.).

According to one embodiment of the invention, as one alternative access by the service provider to the fee databases of the participating organizations can occur automatically by direct reporting of the percentage of costs incurred from the organizations as a response to a specific inquiry by the service provider at the start of each connection. In this process, the percentage of costs incurred from the participating organizations are preferably updated automatically.

Alternatively, an automatic access by the service provider to the corresponding data records of the participating organizations' databases can be carried out. The data access, as well as the transferred data, are preferably protected against misuse by using suitable means.

Another embodiment provides that the fee data to be transmitted to the terminal by the service provider can optionally be configured using configuration on the part of the user in type and scope of delivery, whereby e.g., an automatic, continuously updated delivery can be carried out of only the fee total or e.g., all of the individual fee records.

Optionally, a consideration of the fee data in the service provider database by the user without automatic delivery can be carried out, whereby the configuration option on the part of the user is preferably protected against misuse using suitable means.

If necessary, a subsequent processing of the fee data can advantageously be carried out in the user's terminal, whereby e.g., different display formats and degrees of detail can be shown.

For simple use of the method according to the invention, a terminal software part (client) is provided that works together with the T/DSP fee database and is installed directly within the access or browser software.

Another embodiment of the invention provides that optionally a transfer by the service provider of specially marked forecast data (quoted costs) is carried out for the pending cost-intensive service or transmission offerings, which is carried out by determining the service and/or transmission costs involved in cooperation with the organizations and telecommunications systems involved, whereby optionally an activation by the user (order) or a rejection of the service provider and/or the transmission can occur. In this way, the user can be informed of the forecast costs even before use of a service or before a data transmission.

In order to save transmission costs that depend on the time of day, the user can optionally request usage of services and/or transmissions alternatively at a later time by using additional terminal menu items, at which time usage is more economical, which occurs because of automatic activation by the terminal or alternatively, by the service provider e.g., a download of very large files at the night rate.

In this context, the invention also provides that the user can optionally also initiate an immediate transmission of the data requested from a remote Internet service provider to the service provider, whereby the data transmission (downloading or uploading) of the data involved can be carried out

separately between the service provider and terminal, which is then especially advantageous if the user has an expensive telecommunication line to the service provider and transmission bottlenecks are present on the Internet so that the cost-intensive telecommunication line can be used more economically in a burst-like transmission between service provider and terminal.

In the following, the invention will be explained using drawings, which describe only one possible embodiment using an Internet transmission and a PC as terminal as an example, whereby other characteristics, applications and advantages of the invention can be seen in the drawings.

Figure 1: shows a typical Internet connection (state of the art);

Figure 2: shows an Internet connection with expansion according to the invention for displaying costs;

Figure 3: shows an example of two different display types for the connection costs.

Figure 1 relates to the representation of a typical Internet connection and was already explained above.

Figure 2 shows the principle of the method according to the invention. The user is connected in the conventional way with his terminal 1 by way of a modem 2 to the telecommunication system 3 and thereby produces a connection with his service provider. In this process it is unimportant whether the method is used for a telecommunication service provider (TSP) within a telecommunication system as service provider, or a data service provider (DSP) connected to a telecommunication system. Both service providers 4 are therefore combined in the schematic illustration with the identification (T/DSP).

Because of the protocol connection used, generally there is an end-to-end connection between the user's terminal 1, depending on the network a PC, a mobile communication device, etc. and the service provider 4.

According to the invention, the service provider 4 determines the current total costs of a connection, e.g., Internet connection and transmits them to the user, where they can be displayed in a convenient format, preferably on terminal 1.

To do this, the service provider 4 has connections to the fee databases of its participating service and content providers 6 (S/CP), whereby the corresponding fee information is alternatively transmitted automatically by the service and content provider 6, automatically requested by service provider 4 or automatically determined with limited S/CP access permission to the respective memory items in the S/CP fee database 7. In addition, service provider 4 has a connection to the fee database 9 of telecommunication system 3, which is shown schematically here using access to the Customer Care and Billing Center 8 (CCBS) with connected database 9 as an example. Depending on the preferred method and technical equipment, the automatic transmission of the current fees (e.g., fee pulses) to the service provider 4 is possible, it then being possible to process the fees there as needed, or there is a transmission of higher-quality information, e.g., the transmission of total connection costs. Optionally, for complete notification of the total costs by the service provider 4, a base fee, previously accumulated monthly fees and other useful data can be transmitted. Alternatively to this method, service provider 4 has a limited access to the fee database 9 of telecommunication system 3 and, by reviewing the contract data between telecommunication system 3 and user, determines the necessary value automatically for users who require the actual costs for calculation, in addition to the fee pulse.

Then alternatively an automatic transmission of the fee data to the user's terminal 1, which preferably is continuously updated to the current fee status, is repeated, or the information is held in a file that is continuously updated so that it is available to be viewed by the user. In this context, it is advantageous if the fee status is also continuously updated during viewing by the user, whereby there is an option for the user, e.g., when working with window-oriented graphical screen interfaces, to open a corresponding fee window and leave it open over a fairly long period of time. In this process, each time the fee is updated, the service provider automatically transmits the updated status to the user.

Preferably different displays can be shown separately in this way, e.g., total costs to date in the invoicing period (e.g., monthly) and costs of the current session. Also e.g., an optional warning is possible at a preset highest limit (monthly limit).

Determination of cost information as a preventive measure for upcoming data transmissions from a third party, e.g., File Transport Protocol files (FTP files) from remote ISP using the Internet access of service provider 4, whereby because of the typical end-to-end connection on the Internet 5, service provider 4 has no influence on the contents of this connection, is carried out by a cost inquiry on the part of the user to the service provider, whereby he e.g., transmits the data volume for the upcoming transmission to data provider 4 either automatically or using an automatic procedure that uses a corresponding inquiry template and the service provider can calculate, at least, a forecast of its own cost portion and the telecommunication system costs for the transfer service.

Figure 3 presents display types that are different in principle, as an example. While version A offers continuous cost information in brief form, using a screen display in an

exposed location, or e.g., a display in an appropriate position of the Internet browser or the online access software, in version B an independent window of the graphical user interface is used for display, whereby in this case optionally more information can be displayed, e.g., an individual voucher. A linking of both methods in a way such that during selection and activation of the brief display, a separate cost information window with expanded information is opened is also possible.

Determining costs as a preventive measure before an upcoming transmission is possible in the case where information on the upcoming data scope is available. This is frequently the case, especially with FTP communication, if e.g., a download file with information on the data quantity is available.

Optionally, an additional operations menu can be displayed, which makes possible activation of different transmission options, like a later cost-effective automatic transmission, e.g., in POP operation (PC automatically initiates the connection) or e.g., an intermediate solution with immediate transmission by a remote ISP to the service provider with temporary intermediate storage and later transmission by way of the telecommunication system.

Patent Claims

1. Method for notifying a user's transmission and service costs of using telecommunications systems, especially for packet-oriented data transmission and for Internet and online data, **characterized in that** the service provider (4) determines fee information on the total costs incurred during a continued connection, either in real time during, or after, a connection by using access to its own fee database and using access to the comparable facilities (7, 9) of service or content suppliers (6) involved and telecommunication and transmission systems (3, 5) involved and transmits the data, on request or automatically, to the terminal (1) of the user.

2. Method according to claim 1, **characterized in that** the fee data management is carried out in the fee databases and all user-specific and service-specific fee terms and user-specific contract data (prices, bonuses, subscriptions, blocks, etc.) are stored.

3. Method according to claim 1 or 2, **characterized in that**, depending on the embodiment implemented, access by the service provider to the fee databases (7,9) of the service and content supplier (6) and the telecommunication systems (3) is carried out automatically by direct transmission of the portion of costs by the service agencies (6,3) involved or as a response to a specific inquiry by the user at the start of the connection.

4. Method according to claim 1 or 2, **characterized in that** an automatic access by the service provider to the corresponding data records in the databases (7,9) of the service agencies (6,3) involved occurs.

5. Method according to one of claims 1 to 4, **characterized in that** the percentages of costs incurred are updated, preferably automatically, by the service agencies involved (4,6,3).

6. Method according to one of claims 1 to 5, **characterized in that** the data access to the databases (7,9) and the data transmitted are preferably protected against misuse with a suitable method.

7. Method according to one of claims 1 to 6, **characterized in that** the fee information to be transferred by the service provider to the terminal (1) can optionally be configured in type and scope of the delivery using configuration by the user.

8. Method according to one of claims 1 to 7, **characterized in that** an automatic continuously-updated delivery occurs of only the fee total or an individual voucher regarding the fees.

9. Method according to one of claims 1 to 8, **characterized in that** a viewing of the user into the fee data in the service provider database occurs, whereby the user configuration option is preferably protected against misuse with a suitable method.

10. Method according to one of claims 1 to 9, **characterized in that** the fee information is prepared as needed at the terminal specifically for the individual and is displayed in more or less detailed form on the user's terminal (1).

11. Method according to one of claims 1 to 10, **characterized in that** if necessary, a post processing of the fee data takes place in the user's terminal (1), whereby different display formats and degrees of detail can be shown.

12. Method according to one of claims 1 to 11, **characterized in that** the software part (client) at the terminal, which works together with the service provider's (4) database, is placed directly within the access or browser software.

13. Method according to one of claims 1 to 12, **characterized in that** a transmission by the service provider of especially marked forecast data (quoted costs) is carried out for upcoming cost-intensive service or transmission offerings, which is carried out by determining the service and/or transmission costs involved in cooperation with the connected service agencies (6) and communications systems (3).

14. Method according to one of claims 1 to 13, **characterized in that**, by using additional menu items at the terminal, the user can request usage of services and/or transmissions at a later point in time, at which a more economical usage occurs by automatic activation by the terminal or alternatively, by the service provider.

15. Method according to one of claims 1 to 14, **characterized in that** the user can initiate an immediate transmission of the data offered by a remote Internet service provider to the service provider (4), whereby the data transmission of the data involved between service provider (4) and terminal (1) occurs at a later time.

DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION	Attorney Docket	2633-PA78
	First Named Inventor	Walter Keller
	COMPLETE IF KNOWN	
	Application Number	Unknown
	Filing Date	Herewith
☑ Declaration Submitted with Initial Filing ☐ Declaration Submitted after Initial Filing	Group Art Unit	Unknown
	Examiner Name	Unknown

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

> SYSTEM AND METHOD FOR NOTIFICATION OF TRANSMISSION AND SERVICE COSTS OF USING TELECOMMUNICATING NETWORK

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☑ was filed on (MM/DD/YYYY)   **August 18, 2000**   as PCT International

Application Number   **PCT/DE00/02836**   and was amended on (MM/DD/YYYY) ☐ (if applicable.)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Numbers	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES	NO
DE 199 39 151.3	Germany	08/20/1999	☐	☐	☑
PCT/DE00/02836	PCT	08/18/2000	☐	☐	☑
			☐	☐	☐
			☐	☐	☐

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	
		☐ Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto

(Page 1 of 2)

DECLARATION - Utility or Design Patent Application

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s), or §365(c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Patent Application Number	PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

☐ Additional U.S. or PCT International application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Registered practitioner(s) name/registration number listed below:

Name	Registration Number	Name	Registration Number
NEIL F. MARTIN JOHN L. HALLER JAMES W. MCCLAIN	23,088 27,795 24,536	KATHERINE PROCTOR	31,468

Direct all correspondence to:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:	☐ A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])			Last Name			
Walter			Keller			
Inventor's Signature			Date	05.02.01		
Residence: City	Ratingen	State	Country	Germany	Citizenship	German
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Post Office Address	40880 Ratingen					
City		State		Zip		Country	Germany

NAME OF SECOND INVENTOR:	☐ A petition has been filed for this unsigned inventor					
Given Name (first and middle [if any])			Last Name			
Inventor's Signature			Date			
Residence: City		State	Country		Citizenship	
Post Office Address						
Post Office Address						
City		State		Zip		Country	

☐ Additional Inventors are being named on the supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

UNITED STATES PATENT AND TRADEMARK OFFICE

Katherin Proctor
Brown, Martin, Haller & McClain LLP
1660 Union Street
San Diego, CA 92101-2926

In re Application of :	
KELLER, Walter :	
Application No.: 09/890,554 :	
PCT Application No.: PCT/DE00/02836 :	
International Filing Date: 18 August 2000 :	DECISION ON
Priority Date: 20 August 1999 :	PETITION
Attorney Docket No.: 2633-PA78 :	UNDER 37 CFR 1.137(b)
For: SYSTEM AND METHOD FOR :	
NOTIFICATION OF TRANSMISSION :	
AND SERVICE COSTS OF USING :	
TELECOMMUNICATION NETWORK :	

Applicant's "Petition for Revival of an Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b)" filed in the United States Patent and Trademark Office on 02 August 2001 is **GRANTED**.

BACKGROUND

On 18 August 2000, applicant filed an international application, No. PCT/DE00/02836, which claimed a priority date of 20 August 1999. A copy of the application was transmitted by the International Bureau (IB) on 01 March 2000.

The deadline for entering the national stage was thus twenty months from the priority date, 20 April 2001. The application went abandoned when applicant failed to make the necessary filing.

On 02 August 2001, applicant filed a transmittal letter for entry into the national stage in the United States, which was accompanied by, *inter alia*, a petition to revive the international application; the requisite petition fee; and the requisite basic national fee as required by 35 U.S.C. §371(c)(1).

DISCUSSION

A petition to revive an abandoned application under 37 CFR 1.137(b) must be filed without intentional delay from the time the application became abandoned and/or applicant first became aware of the abandoned status of the application. A petition under 37 CFR 1.137(b)

must be accompanied by (1) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional, (2) a proposed response, (3) the petition fee required by law (37 CFR 1.17(m)), and (4) a terminal disclaimer and fee (if the international application was filed prior to June 8, 1995).

Applicant states "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional," as required by 37 CFR 1.137(b)(3). The appropriate national fee, petition fee and international application have been submitted. A terminal disclaimer is not required as the application was filed on 18 August 2000. Accordingly, all requirements under 37 CFR 1.137(b) have been satisfied.
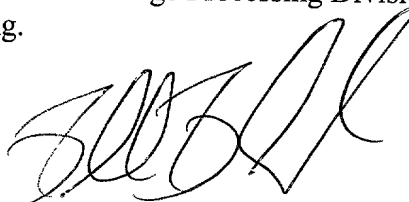
CONCLUSION

The petition to revive the application abandoned under 37 CFR 1.137(b) is **GRANTED** as to the National Stage in the United States of America.

This application is being forwarded to the National Stage Processing Division of the Office of the PCT Operations for continued processing. The application has an international filing date of 18 August 2000 under 35 U.S.C. §363 and a date of 02 August 2001 under 35 U.S.C. §371. This application is being forwarded to the National Stage Processing Division of the Office of the PCT Operations for continued processing.

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